

OCT 02 2006

Attorney Docket No.: 12195-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 1733

Examiner: Barbara J. Musser

Inventors: Donald R. Gearhart

Serial No.: 10/767,565

Filing Date: January 29, 2004

Title: PROCESS FOR PRODUCING INTERIOR
TRIM PARTS

**DECLARATION OF
DONALD R. GEARHART
UNDER 37 C.F.R. §1.131**

Commissioner for Patents
U.S. Patent and Trademark Office
Washington, DC 20231

Dear Sir:

Donald R. Gearhart hereby declares that:

1. I am the inventor of the invention as claimed and described in the above-identified application.

2. I conceived said invention in the United States prior to April 29, 2003.

3. Further, said invention was actually reduced to practice prior to April 29, 2003. This is further evidenced by the shipper for prototype articles dated October 31, 2002 (attached as Exhibit A) and the invoice for prototype tooling dated March 11, 2003 indicating that the tooling was shipped on March 7, 2003 (attached as Exhibit B).

4. All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of

U.S. Serial No.: 10/767,565

the United States Code, and that such willful false statement may jeopardize the validity of the above-identified application, and any patent issuing thereon or any patent to which this declaration is direction.

Dated: 9-25-06
Donald R. Gearhart

08-11-2006 11:07 FROM W K INDUSTRIES

5862889864

T-888 P.008/008 F-112



PROTOTYPE PRODUCTION
MODEL SYSTEMS
6336 Millett Ave. Sterling Heights, MI 48312
Ph. (810) 795-1765 • Fax (810) 795-2558

RECEIVED
MAR 13

Invoice

DATE

INVOICE NO.

3/11/2003

6113

EXHIBIT B

BILL TO

W.K. INDUSTRIES
6120 Millett Ave.
Sterling Heights, MI 48312

SHIP TO

SAME

P.O. NO.

6937R

TERMS

Net 30

SHIP DATE

3/7/2003

SHIP VIA

TEDSON

SHIPPER NO.

04233

JOB NO.

7114

ITEM

DESCRIPTION

QTY

RATE

AMOUNT

Vac-Form Tool IP Lower -1
Vacuum-Form Box -1

7,250.00

7,250.00

2-927
OP4

Total
\$7,250.00

SHIPPER

SHIPPER NUMBER

EXHIBIT A

TEDSON INDUSTRIES**04069**

6336 Millett Ave.

Sterling Heights, MI 48312

Ph: (586) 795-1765 • Fax (586) 795-2558

SHIPPED TO

W. K. INDUSTRIES

ADDRESS

6120 MILLETT AVE.

CITY

STERLING HEIGHTS, MI 48312ATTN: Dan G.2100A

CUSTOMER'S ORDER NO. <u>6871</u>		OUR NUMBER <u>7054</u>	SHIPPED VIA <u>TEDSON</u>	DATE SHIPPED <u>10/31/02</u>
QTY ORDER	QTY SHIPPED	DESCRIPTION		
<u>25</u>	<u>25</u>	<u>6T-40 UPPER COUNSEL TRIM COVERS</u>		
		<u>VACUUM FORMED TO SUPPLIED MODEL</u>		
		<u>Thank You!</u>		
		<u>E. K. King</u>		
HOW PACKED		REC'D BY		

TEDSON #014 ORIGINAL 1991